



United States
Department of
Agriculture

Food and
Nutrition
Service

Mountain
Plains
Region

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Reply to
Attn of:

SP 04-04

Subject:

School Programs Policy Guidance - Questions and Answers

To:

STATE AGENCY DIRECTORS - Colorado ED, Iowa, Kansas,
(Special Nutrition Programs) Missouri ED, Montana OPI,
Nebraska, North Dakota,
South Dakota, Utah and Wyoming

This memorandum has, as an attachment, policy guidance on a number of issues that have arisen recently through questions posed to us by State agencies in the Region. Our last such memorandum was issued as SP 03-22 on August 1, 2003.

Please call Jerry Stankorb or Joe Fisher if you have any questions, at (303) 844-0354.

Darlene Sanchez

DARLENE SANCHEZ
Regional Director
Special Nutrition Programs

Attachment

**NATIONAL SCHOOL LUNCH PROGRAM, SCHOOL BREAKFAST PROGRAM
AND SPECIAL MILK PROGRAM
QUESTIONS AND ANSWERS
February 2004**

Free and Reduced Price Eligibility

1. Q. Is a child who is temporarily away at school, such as college, always considered to be a member of the household?

A. No. The guidance for treating a child away at school, found in the Eligibility Guidance for School Meals Handbook, is only meant to address those situations in which the household actually considers the child as a member but who is temporarily absent. A child who is no longer considered to be a member, by the household itself, even though that child is attending school, should not be counted as a household member. Such “children” are usually of full adult age, probably are economically independent, and may in some cases even have families of their own.

2. Q. What are the rules for handling student financial assistance for college students from foreign countries in households that apply for free and reduced-price meal benefits?

A. The rules for counting student financial assistance for foreign college students are the same as they are for college students who are U.S. citizens. All student income provided for the costs of attendance at an educational institution, such as grants and scholarships, awarded to meet educational expenses—including for living expenses—is to be excluded from consideration as household income.

The characteristics of all such aid include the following: 1. the funds are expressly for costs of attending school, and conditional upon the recipient being a student, 2. the source is institutional or governmental.

3. Q. What is the standard for FDPIR (Food Distribution Program on Indian Reservations) case numbers on applications? Would applicants who do not live on Indian reservations have them?

A. FDPIR administrators in Indian Tribal Organizations usually use the head of household’s social security number as case numbers. As with Food Stamp case numbers, confirmation of the proper form should come from the Indian Tribal Organization itself. Applicants who are not living on tribal, or near-tribal land may be FDPIR-eligible for the month of application, but the FDPIR eligibility would typically be terminated by the next month for non-residence. Therefore, applications using FDPIR

numbers on applications outside tribal and near-tribal lands should be questioned.

4. Q. Where does it say that possession of US citizenship is not a requirement for eligibility for free or reduced price meal benefits?
- A. The Eligibility Guidance for School Meals Manual states this on page 19. In addition, regulations and policies of the U.S. Citizenship and Immigration Service (USCIS), which is now a bureau of the U.S. Department of Homeland Security, has information on its Internet web site, through the Public Affairs page, that confirms that the benefits of USDA food programs, including NSLP, SBP, and so forth, are not considered "public charges" that are available only to those with US citizenship status.
5. Q. The current guidance for handling income received by deployed military, found in tri-numbered Regional Office memo SP-03-10, CACFP-691, SFSP-473, states that the only portion of the deployed service member's income to be counted as household income is that portion that the service member sends home to the household. How do you treat the circumstances when the service member sends all the money home, but then has the household send some money back to the person on deployment?
- A. Only the amount that is retained by the household is to be counted. The amount sent back to the deployed service member is not counted.
6. Q. Persons in military service may receive special types of pay such as combat pay, or hazardous duty pay, etc., while on service in combat areas. Is any of this income to be disregarded in computing household income?
- A. No, none of it is disregarded, and all must be counted, except as indicated in the answer to question number 5, above.

Food Service

7. Q. A school with nutrient standard menu planning has the service line arranged so that, near the end of the line, both milk and a juice-flavored drink are available for children to choose. Is there a FNS policy that prohibits putting these two drinks in close physical proximity to prevent children's confusion over whether milk is a separate item which they may choose in addition to the fruit drink? The proximity of the two choices may lead children to think they must choose one or the other drink.

A. While FNS does not have a policy that specifically addresses how the food service line is physically arranged with respect to milk service, we do have a policy (SP 97-04) that requires that milk clearly be identified as a choice separate from other "side dishes" (including fruit drink) that may be offered. Individual situations have to be evaluated in this light. A set-up of this sort may work for high school-aged children if the choices are fully and clearly explained, but elementary-aged children may not be clear about these choices, even when there is a posted explanation. It must be clear from how students actually function making choices on the line that should guide the physical set-up for offering milk when juice drinks are also offered.

8. Q. A company offers a variety of pre-cooked, pre-prepared meat products for sale for use in school food service. They currently provide the SFA with a regular signed manufacturer's specification sheet for each product that identifies the amount of meat/meat alternate, per serving, that can be credited toward meeting component requirements under food-based menu planning systems. They want to substitute a single sheet form that has a line on it for each product, and which has the amount of meat/meat alternate that can be credited for each particular product. Is this single sheet a sufficient substitute for individual specification sheets devoted to individual items?

A. The single sheet form, with just a line for each product, does not have all the information that the individual specification sheets do. For instance, it omits important information such as the amount of raw meat that goes in to each serving, to document that enough has actually been used to produce the final cooked amount. The company could modify its single sheet form to include all necessary information for each product, or it could simply continue to supply the specification sheets separately for each individual product.